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9 **Attorneys for Relators,**
10 **Serve All Help All, Inc. d/b/a**
11 **Non-Profit Alliance of Consumer Advocates;**
12 **Jose Arturo Abad-Vega; and**
13 **Moses Hall**

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

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13 UNITED STATES, *ex rel.*, SERVE
14 ALL HELP ALL, INC. D/B/A NON-
15 PROFIT ALLIANCE OF CONSUMER
16 ADVOCATES; JOSE ARTURO
17 ABAD-VEGA; and MOSES HALL,

18 Plaintiff-Relators,
19 v.

20 ACE SECURITIES CORP. HOME
21 EQUITY LOAN TRUST 2004-FM1 BY
22 HSBC BANK USA AS TRUSTEE; *et*
23 *al.*,

24 Defendants.

Case No. 14-cv-00210-TJH (DFMx)

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DECLARATION OF PETER NISSON
IN SUPPORT OF RELATORS'
REPLY BRIEF IN SUPPORT OF
MOTION FOR LEAVE TO FILE
FIFTH AMENDED COMPLAINT

Judge: Honorable Terry J. Hatter, Jr.

Hearing

Date: July 10, 2017

Time: UNDER SUBMISSION

Place: Courtroom 9B

Judge: Hon. Terry J. Hatter, Jr.

1 I, Peter Nisson do declare:

2 1. I am the counsel of record for the Relators in the above entitled matter. I
3 have personal knowledge of the events and facts of this case, and to the matters
4 sworn to below. If called to testify in person, I could do so completely and fully.

5 2. I reasonably believed that this Court's Order stating it was "without
6 prejudice" meant that there was no final judgment, and that leave to amend could
7 be sought.

8 3. Based on the authorities stated herein above, I reasonably understood that
9 the Order being without prejudice and with no final judgment being entered by the
10 Order, this left open the door to correct the defects to the complaint and to comply
11 with the standard under Fed.R.Civ.P. 9.

12 4. If I misinterpreted this Court's Order, it was due to excusable neglect.

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14 I declare under the penalty of perjury of the laws of the United States of
15 America that the foregoing is true and correct.

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17 Dated this 26th day of June, 2017

18 /s/ Peter Nisson
19 PETER NISSON, Declarant

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